

Applicants: Aidan J. Lavery et al.
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REMARKS

After entry of applicants' November 10, 2006 reply, Claims 1-13 are pending in the subject application. By this amendment, applicants have added new Claim 14. Applicants maintain that the amendments do not raise an issue of new matter. Support for Claim 14 can be found in the specification as originally filed at least in paragraphs [0002], [0024]-[0025], [0027], [0061], [0064], and [0081]. Accordingly, entry of new Claim 14 is respectfully requested.

Support for Amendments to Claim 1 in November 10, 2006 Reply

In the December 11, 2006 Advisory Action, the Examiner stated that the language in Claim 1 that indicated that "the protective layer is not an image recording layer" raises an issue of new matter because the language is not supported by the specification and the original set of claims.

Applicants respectfully disagree, and believe that it is clear from Claim 1 as filed and the specification that the protective layer is not an image recording layer. With respect to originally filed Claim 1, that claim refers to both a "protective layer" and an "image recording layer" as two different elements of the claim and in fact requires that the protective layer be deposited on the image recording layer. Therefore, from the very language of Claim 1 itself, the protective layer is not the image recording layer. The teachings of the specification are also consistent with the protective layer not being the image recording layer. In this regard, the specification teaches, for example, at paragraphs [0061] and [0064] that the protective layer is deposited on the dye-fixing layer [0061] or image recording layer [0064] as an aqueous solution in two working steps. The specification also teaches at paragraphs [0060] and [0063] that the ink absorption layer and dye fixing layer [0060], or imaging recording layer [0063] were

applied to supports in accordance with the recited processing steps. These teachings of the specification, like Claim 1, support that the protective layer and the image recording layer are different, and that the protective layer is not the image recording layer.

For these reasons, Claim 1 as amended is believed to be supported by the application as filed. Accordingly, entry of previously amended Claim 1 is respectfully requested.

Rejections under 35 U.S.C. §103(a)

Claims 1 to 12 are rejected under 35 U.S.C. §103(a) as being unpatentable over Ohbayashi (US 6,492,005 B1) in view of Farooq (US 6,703,112 B1).

It is the Examiner's position that Ohbayashi discloses two or more ink absorptive layers that can include boric acid, a metal ion compound and an organic sulfur compound. The Examiner believes that the claimed invention is obvious based on the interpretation that the ink absorptive layers of Ohbayashi are equivalent to the claimed protective layer, dye fixing layer, and ink absorbing layer. While Ohbayashi does not disclose an organometallic ion compound, the Examiner believes that the use of an organometallic ion compound is obvious over Farroq.

Applicants respectively traverse this rejection, and maintain that the claimed invention is patentable for the reasons which follow. The present invention relates to an ink-jet printing material having a support, an image recording layer located on the support, and a protective layer deposited on the image recording layer. Essential for the present invention is that improved resistance to the action of ozone and at the same time a high light fastness are achieved with the protective layer that includes the specified protecting agents, as documented for example in the comparative Examples on pages 16-24 of the application and paragraph [0027]. Although Ohbayashi describes that the ink

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absorptive layer may be comprised of two layers or more (Column 17, lines 1-3), Ohbayashi does not teach a protective layer in accordance with the present invention that is deposited on an image recording layer, as claimed. Accordingly, the claimed invention is patentable over Ohbayashi.

Since Farooq is relied on by the Examiner only for teaching organometallic compounds, the claimed invention is patentable over Ohbayashi and Farooq. Accordingly, reconsideration and withdrawal of this ground of rejection are respectfully requested.

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CONCLUSIONS

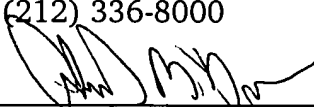
In view of the preceding amendments and remarks, applicants respectfully request that the Examiner reconsider and withdraw the rejections set forth in the July 11, 2006 Final Office Action, and earnestly solicit allowance of the claims under examination. If there are any minor matters preventing allowance of the subject application, the Examiner is requested to telephone the undersigned attorney.

No fee, other than the enclosed \$790.00 RCE fee and the \$900.00 fee for an additional two month extension of time, is deemed necessary in connection with the submission of this RCE and Amendment. However, if any other fee is required to maintain the pendency of the subject application, authorization is hereby given to withdraw the amount of any such fee from Deposit Account No. 01-1785. Any overpayments may be credited to Deposit Account No. 01-1785.

Respectfully submitted,

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By 
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